

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting  
November 4, 2003, 9:00 A.M.

City Council Chambers  
455 North Main

ORDER OF BUSINESS

- Call to Order
  - Invocation
  - Pledge of Allegiance
  - Approve the minutes of the previous meeting
  - Approve the 10-28-2003 Workshop/Executive Session minutes
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AWARDS AND PRESENTATIONS

- Proclamations
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PUBLIC AGENDA

1. Timothy Gruver-Tallgrass Film Festival.
  2. Wichita Supplier Diversity Task Team Status Report.
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UNFINISHED BUSINESS

3. Appeal of Historic Preservation Board Action Regarding Conversion of First Floor Commercial Space to Parking Garage at 221-23 East. Douglas. (District I)  
(Continued from October 21, 2003)

A proposal has been submitted to convert an existing building at 223 E. Douglas into a parking garage. The proposed conversion application was denied by the Historic Preservation Board. Several policy issues are also involved with this project, including traffic and safety, removal of existing parking and public structures/paving.

RECOMMENDED ACTION: Affirm the decision of the Historic Preservation Board and deny the application as presented; or find that there is “no feasible and prudent alternative” and reverse the decision of the Historic Preservation Board with the condition that the storefront design must be approved by The Historic Preservation Board.

4. Advertising Signage (City-Property) Policy.  
(Continued from October 21, 2003)

RECOMMENDED ACTION: Take desired action on policy.

5. Establishment of Neighborhood City Hall. (District II)  
(Continued from October 21, 2003)

RECOMMENDED ACTION: Authorize Staff to proceed with  
project and initiate bids.

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NEW BUSINESS

6. Public Hearing and Issuance of Industrial Refunding Revenue Bonds-Mid-Continent Instruments. (District II)

On October 7, 2003, the City Council approved a one-year Letter of Intent to issue its Industrial Refunding Revenue Bonds in the amount not-to-exceed \$3,300,000 to Mid-Continent Instruments. The bond proceeds will be used to refund and redeem currently existing debt and pay costs of issuance. The company is now requesting city Council to issue Industrial Refunding Revenue Bonds in the amount not-to-exceed \$3,300,000.

RECOMMENDED ACTION: Close the Public Hearing and  
approve first reading of the  
Ordinance.

7. Public Hearing and Issuance of Industrial Revenue Bonds-FlightSafety International. (District V)

Since 1991, the City Council has approved the issuance of \$54 million in Industrial Revenue Bonds and Airport Special Facility Revenue Bonds for FlightSafety International. The bonds were used to construct building additions and purchase new flight simulators for use in FlightSafety Training Centers located at 1851 Airport Road and Two Learjet Way. FlightSafety was also granted 100% tax abatement on the bond-financed property, for a five-year period plus a second five-year period based on Council review.

RECOMMENDED ACTION: Close the Public Hearing and  
approve first reading of the  
Ordinance.

8. Public Hearing and Issuance of Industrial Revenue Bonds-The Boeing Company. (District III)

Since 1979, the City of Wichita has approved over \$3 billion in Industrial Revenue bond financing, in conjunction with advalorem tax exemptions, to Boeing Commercial Airplanes, Wichita Division "Boeing Wichita", a division of The Boeing Company. Boeing Wichita is now requesting the issuance of City of Wichita Industrial Revenue Bonds in an amount not-to-exceed \$60 million, under the authority of the Letter of Intent approved November 9, 1999.

RECOMMENDED ACTION: Place on first reading the Bond  
Ordinance, approving the Bond  
Documents and issuance of Bonds.

(11:00 a.m. or thereafter)

9. General Obligation Refunding and Improvement Local Sales Tax Bond Sale (Series 2003B).

The City is offering for sale one series of general obligation refunding and improvement bonds totaling approximately \$52,500,000.

RECOMMENDED ACTION: (1) Direct the opening and reading of the bids; (2) award the sale of the Bonds; and (3) adopt the Bond Ordinance and authorize the Mayor to execute the Request for Declaration of Emergency.

10.a) Central Avenue Improvement, Woodlawn to Rock. (District II)

The 2002-2011 Capital Improvement Program (CIP) includes a project to improve Central, between Woodlawn and Rock. On April 1, 2003, the City Council voted 7 to 0 to approve a five-lane design concept, without medians.

RECOMMENDED ACTION: Approve the project.

b) Central Avenue Improvement, Oliver to Woodlawn. (Districts I and II)

The 2002-2011 Capital Improvement Program (CIP) includes a project to improve Central, between Oliver and Woodlawn. On September 15, 2003, District I Advisory Board voted 7 to 1 to recommend approval. On October 6, 2003, District II Advisory Board voted 8 to 1 to recommend approval.

RECOMMENDED ACTION: Approve the project.

11. Woodlawn Improvement, between Central and 13<sup>th</sup>. (Districts I and II)

The 2002-2011 Capital Improvement Program (CIP) adopted by the City Council includes a project to improve Woodlawn, between Central and 13<sup>th</sup>. It is one of four projects in the CIP to widen Woodlawn from Lincoln to 21<sup>st</sup> Street. District I Advisory Board sponsored an October 1, 2003 neighborhood hearing on the project. The Board voted 5 to 4 to recommend that a four-lane concept be evaluated. The District II Advisory Board sponsored a September 15, 2003 neighborhood hearing on the project. The Board voted 10 to 1 to recommend approval of a five-lane design concept. The City Council discussed the project at its October 28, 2003 Workshop. It was the consensus of the Council to postpone the project indefinitely.

RECOMMENDED ACTION: Postpone the project.

12. Central Rail Corridor. (District VI)

In December 1995, the City of Wichita (and Sedgwick County) became aware of the Union Pacific (UP) Railroad's intention to increase train movements through Wichita. To implement the merger and the new routings, the UP had to receive approval of the Surface Transportation Board (STB). Protests from the City of Wichita and Sedgwick County against the proposed impact of increased train movements were recognized by the STB as being legitimate and of concern. In May 1999, the City entered into agreements with HNTB to provide design services for the elevated Central Rail Corridor project.

RECOMMENDED ACTION: Approve the amending Resolution, approve construction inspection/administration agreements, and authorize staff to solicit bids for the Central Rail Corridor project.

13. Agreement with Sedgwick County for Emergency Medical Services.

Wichita and Sedgwick County entered into an EMS agreement in January of 1988. A new and revised Agreement for an Emergency Medical Service System has been negotiated by City and County Staffs for City Council approval.

RECOMMENDED ACTION: Approve agreement for emergency medical service system.

14. HUD Consolidated Plan-Establishment of Priority Needs.

Annually, the City submits a HUD Consolidated Plan/Combined Application for Community Development Block Grant (CDBG), HOME Investment Partnership program and Emergency Shelter Grant (ESG) funds. As a part of the submission of the HUD Consolidated Plan, the City is required to prepare a new Five-Year Strategic Plan covering the period July 1, 2004 through June 30, 2008.

RECOMMENDED ACTION: Close the Public Hearing and establish priority needs.

15. Restaurant Grading System (City Code 7.20).

The City's Department of Environmental Health inspectors have issued "grades" to restaurants for in excess of thirty years. The current grading ordinance is based on State codes that are no longer in force, and do not adequately reflect the public health significance of inspection findings. The Kansas Department of Health and Environment contracts with the City to conduct food service establishment inspections, and KDHE has requested elimination of the grading system to make it consistent with current State standards/practices.

RECOMMENDED ACTION: Approve modification of Chapter 7.20 of the City Code to eliminate mandatory grading of food service establishments.

16. Contract Regarding City's Bond Registrar and Paying Agent.

In October 1994, the City entered into a contract with JPMorgan Chase Bank, N.A. (formerly Chase Manhattan Bank, N.A.) to provide Paying Agent and Bond Registrar services for the bonds. Over the last several years, numerous errors have occurred and JPMorgan has been less than responsive thus initiating the need to secure a new agency to provide bond registrar and paying agent activities.

RECOMMENDED ACTION: Terminate the current contract;  
initiate a new contract for paying  
agent services.

17. Transfer of Nuisance Abatement Funds.

The City Council has established as one of its primary goals the improvement and enforcement of City Codes. The implementation of the Joint Code Enforcement program has increased the number of inoperable vehicles removed and property clean-ups. This increased activity has depleted the amount of funding available for these neighborhood services. To meet the number of nuisance abatements projected to the end of the year, a transfer of funding is proposed.

RECOMMENDED ACTION: Approve the budget adjustment  
Transferring \$50,000 from the  
Environmental Maintenance  
Contingency (OCA 149070) to  
Environmental Maintenance Lot  
Cleanup contractual (OCA 149062.)

18. 132 North Mosley-Building Request. (District VI)  
(PULLED AT THE REQUEST OF COUNCILMEMBER FEAREY)

A request has been received to build a building on the recently acquired property in Old Town, 132 N. Mosley. This land was acquired for parking with potential long-term redevelopment.

RECOMMENDED ACTION: Take desired action.

19. Proposed 2004 City of Wichita Legislative Program.

The development of the 2004 Legislative Program began in August when requests for proposed legislation were distributed to City Council Members and City Departments. Discussions have also taken place with Sedgwick County, Regional Economic Area Partnership (REAP), League of Kansas Municipalities, Kansas Association of Counties, USD 259, Wichita Area Chamber of Commerce, Wichita Independent Business Association, in an effort to identify and prepare for issues, which are likely to be considered by the 2004 Legislature.

RECOMMENDED ACTION: Defer to workshop discussion.

20. Sale of City Owned Properties.

On July 15, 2003, the City of Wichita designated the properties available for sale to the public, subject to the conditions. Staff was instructed to market these properties through mailings and notices to brokers, real estate firms and investors as well as posting on the Internet, distribution of flyers, property showings, etc. The City Council is presented with a list of proposed sales.

RECOMMENDED ACTION: Approve the recommended offers.

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CITY COUNCIL AGENDA

21. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

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CONSENT AGENDA

22. Report of the Board of Bids and Contracts Dated November 3, 2003.

RECOMMENDED ACTION: Receive and file report; approve Contracts;  
authorize necessary signatures.

23. Application for License for Adult Entertainment Establishments/Services:

Escort Service Renewal:

Sandra Jean Lacy	Prime Time Entertainment	1123 East Waterman
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New Escort Service

Marvin Gehrke	M.J. Management	304 South Laura
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RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

24. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
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Teresa A. Vasquez	El Patio Inc.*	424 East Central
Michael J. Keays	GodFather's Pizza #17019*	2106 Amidon
William H. Smith	WSU dba Rhatigan Student Center*	1845 Fairmount

<u>Renewal</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
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Don Farquhar	Rolling Hills CC Golf Shop	9612 West Maple
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<u>New Establishment</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
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Daniel D. Dean	Dutch's Café and Steak House*	1155 South Washington
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\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

25. Preliminary Estimates:

- a) Water main replacement along Harry, Oliver to Woodlawn - 448-89700/636116/772513. Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$540,000.00
- b) Water line replacement in Central Street Bridge at Tara - 448-89552/636104/771502. Three lanes for traffic to be maintained during construction using flagpersons and barricades. (District III) - \$105,000.00
- c) Water distribution system to serve Shoal Creek Second Addition - south of Central, west of 143rd Street East. (448-89861/735147/470817) Does not affect existing traffic. (District II) - \$83,000.00
- d) Maple Street from 119th to 135th, Phase 2 Landscaping. (472-83262/706817/201283) Does not affect existing traffic. (District V) - \$65,486.30.
- e) Storm Water Sewer #592 to serve Reed's Cove Addition (south of 21st Street North, east of 127th Street East) (468-83571/751346/485237) Does not affect existing traffic. (District II) - \$173,000.00.
- f) Brush Creek from the south line of Westlake Parkway to the south line of Lot 134, Block 4; Brush Creek Court serving Lots 18 through 25, Block 5 (Phase 1) to serve Fox Ridge Addition - north of 29th Street North, west of Tyler. (472-83785/765813/490924) Does not affect existing traffic. (District V) - \$256,000.00
- g) Red Fox from the south line of Westlake Parkway to the south line of Silver Hollow; Silver Hollow from the east line of Red Fox Circle to the east line of Lot 106, Block 4; Silver Hollow Court from the south line of Silver Hollow to and including the cul-de-sac serving Lots 97 thru 106, Block 4 (Phase 2) to serve Fox Ridge Addition - north of 29th Street North, west of Tyler. (472-83786/765814/490925) Does not affect existing traffic. (District V) - \$293,000.00.
- h) Den Hollow from the south line of Westlake Parkway to the south line of Lot 48, Block 4 (Phase 3) to serve Fox Ridge Addition (north of 29th Street North, west of Tyler) (472-83787/765815/490926) Does not affect existing traffic. (District V) - \$182,000.00.
- i) Zoo Boulevard from Central to Westdale, Phase 2 Landscaping (472-83442/706832/202298) Does not affect existing traffic. (District VI) - \$54,885.00
- j) Left and Right Turn Lanes on Webb Road to serve The Waterfront Addition and Adjacent Tract (north of 13th, east of Webb) (472-83700/765799/490910) Traffic to be carried through construction. (District II) - \$393,000.00

RECOMMENDED ACTION: Approve and file.

26. Deeds and Easements:

- a) Sanitary Sewer Easement dated April 30, 2003 from Royal Associates, an Illinois partnership for tracts of land located in Lot 1, the Landing 2nd Addition, Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.
- b) Drainage Easement dated July 8, 2003 from Rita A. Neville as Trustee of Neville Trust III for a tract of land located in Lot 1, Tyler Acres Fifth Addition, Wichita, Kansas (Private Project, OCA #607861). No cost to City.
- c) Utility Easement dated September 15, 2003 from Donald Walenta for a tract of land located in Lot 1, Block B, Ann Walenta Addition, Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.
- d) Sanitary Sewer Easement dated August 13, 2003 from the Charles R. Woodard & Connie L. Woodard Trusts for a tract of land located in the Southwest Quarter of Sec. 28, Twp. 26 S, R-1-W of the 6th P.M., Sedgwick County, Kansas. (Main 19, Ph. 4, OCA #743990). No cost to City.
- e) Utility Easement dated August 13, 2003 from the Charles R. Woodard & Connie L. Woodard Trusts for a tract of land located in the Southwest Quarter of Sec. 28, Twp. 26 S, R-1-W of the 6th P.M., Sedgwick County, Kansas. (Main 19, Ph. 4, OCA #743990). No cost to City.
- f) Dedication dated July 16, 2003 from Sycamore Village Homeowner's Association for a tract of land in the Reserve, Block 3, Waterford North, an addition to Wichita, Sedgwick County, Kansas. (Rock, 22-29, OCA #706844). No cost to City.
- g) Dedication dated September 8, 2003 from Bluestem Village Homeowner's Association for a tract of land in Reserve D, Block 1, Bluestem Village Second, and Addition to Wichita, Sedgwick County, Kansas (Rock, 22-29, OCA #706844). No cost to City.
- h) Dedication dated September 8, 2003 from Bluestem Village Homeowner's Association for a tract of land in Reserve F, Block 1, Bluestem Village Second, and Addition to Wichita, Sedgwick County, Kansas (Rock, 22-29, OCA #706844). No cost to City.
- i) Dedication dated September 30, 2003 from Tom L. Kirk and John C. Voth for a tract of land in Lot 9, Block 11, Parkwilde Addition, Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.

RECOMMENDED ACTION: Accept documents.

27. Statements of Cost:

- a) Two-Way Main Street (Design). Total Cost - \$32,187.04; (less idle fund interest - \$1,310.66, - plus temporary note financing - \$0, - less financing previously issued - \$925.04 – less financing from interfund transfers - \$30,000.00). Financing to be issued – \$1,262.00 (706797/472-83203/200-269).
- b) Hillside, 17th Street to 21st Street (Design). Total Cost - \$68,390.83; (less idle fund interest - \$188.83; plus temporary note financing - \$0, less interfund transfer - \$30,000.00, less financing previously issued - \$30,000.00). Financing to be issued at this time - \$8,202.00. (706821/472-83361/201-287).



- c) 1995 Intersection Reconstruction Program. Total Cost – \$1,027,576.93 (plus idle fund interest - \$21,526.08; plus temporary note financing - \$841.19; less KDOT reimbursement - \$220,960.54; less interfund transfers - \$800,000.00; less state operating grant - \$500.00; less financing previously issued - \$50,000.00; plus cash transferred out - \$22,996.34). Financing to be issued at this time - \$1,480.00. (706093/472-82558/405-163).

PARTIAL STATEMENTS OF COST:

- a) (Ninth Partial) Estimate of Cost for improving 1998/1999 Arterial Corridor Improvement Program - \$1,725,000; less financing previously issued - \$1,695,000. Financing to be issued at this time - \$30,000. (706705/472-82932/208-224).
- b) (Second Partial) Estimate of Cost for improving Intersection of 21st Street North and 119th Street West (Construction) - \$100,000; less financing previously issued - \$50,000. Financing to be issued at this time - \$50,000. (710216/472-83609/231-078).
- c) (Second Partial) Estimate of Cost for improving Hillside, Kellogg to Central (Design)- \$105,000; less financing previously issued - \$75,000. Financing to be issued at this time - \$30,000. (706820/472-83361/201-286).
- d) (Fourth Partial) Estimate of Cost for improving Sidewalks and Wheelchair Ramps, Phase 1 (Construction) - \$535,000; less financing previously issued - \$507,000. Financing to be issued at this time - \$28,000. (706828/472-83437/202-294).
- e) (Third Partial) Estimate of Cost for improving Hillside, Kellogg to Central (Construction) - \$207,000; less financing previously issued - \$196,000. Financing to be issued at this time - \$11,000. (706834/472-83453/202-300).
- f) (Second Partial) Estimate of Cost for improving 29th, Maize to Tyler (Design) - \$30,000; less financing previously issued - \$20,000. Financing to be issued at this time - \$10,000. (706837/472-83505/202-303).
- g) (Second Partial) Estimate of Cost for improving Hillside, 17th Street to 20th Street - \$1,215,000; less financing previously issued - \$575,000. Financing to be issued at this time - \$640,000. (706842/472-83537/202-308).
- h) (Second Partial) Estimate of Cost for improving Wheelchair Ramps & Sidewalks 2003 - \$400,000; less financing previously issued - \$360,000. Financing to be issued at this time - \$40,000. (706847/472-83660/203-313).
- i) (First Partial) Estimate of Cost for improving Harry Street, Oliver to Woodlawn (Construction) - \$12,000; less financing previously issued - \$0. Financing to be issued at this time - \$12,000. (706852/472-83685/203-318).
- j) (First Partial) Estimate of Cost for improving Douglas at Oliver Intersection (Design) - \$11,000; less financing previously issued - \$0. Financing to be issued at this time - \$11,000. (706853/472-83755/203-319).
- k) (First Partial) Estimate of Cost for Meridian, 31st Street to Pawnee (2003 Arterial Street Design)- \$15,000; less financing previously issued - \$0. Financing to be issued at this time - \$15,000. (706854/472-83756/203-320).

- l) (First Partial) Estimate of Cost for improving 29th Street, ½ Mile East of Ridge to West Street (Design) - \$25,000; less financing previously issued - \$0. Financing to be issued at this time - \$25,000. (706855/472-83753/203-321).
- m) (First Partial) Estimate of Cost for Woodlawn, Central to 13th Street (Design) - \$50,000; less financing previously issued - \$0. Financing to be issued at this time - \$50,000. (706857/472-83758/203-323).
- n) (First Partial) Estimate of Cost for 29th Street North, Tyler to Ridge (Design) - \$20,000; less financing previously issued - \$0. Financing to be issued at this time - \$20,000. (706856/472-83751/203-322).
- o) (First Partial) Estimate of Cost for improving Intersection of Tyler at Yosemite (Design) - \$15,000; less financing previously issued - \$0. Financing to be issued at this time - \$15,000. (706859/472-83757/203-325).
- p) (First Partial) Estimate of Cost for improving Central, Oliver to Woodlawn (Design) - \$70,000; less financing previously issued - \$0. Financing to be issued at this time - \$70,000. (706862/472-83754/203-328).
- q) (Sixth Partial) Estimate of Cost for improving Hydraulic, 57th Street South to MacArthur - \$4,404,670; less financing previously issued - \$4,315,670. Financing to be issued at this time - \$89,000. (706810/472-83324/201-275).
- r) (Fifth Partial) Estimate of Cost for improving 2001 Arterial Street Design Program (Design) - \$280,000; less financing previously issued - \$230,000. Financing to be issued at this time - \$50,000. (706811/472-83314/201-201-276).
- s) (Second Partial) Estimate of Cost for Central, Maize to Tyler - \$705,865; less KDOT reimbursements - \$505,865, less financing previously issued - \$20,000. Financing to be issued at this time - \$180,000. (706848/472-83659/203-314).
- t) (Third Partial) Estimate of Cost for 29th Street North, Rock to Webb - \$906,092; less KDOT reimbursements - \$506,092, less financing previously issued - \$65,000. Financing to be issued at this time - \$335,000. (706841/472-83519/202-307).

RECOMMENDED ACTION: Approve and file.

28. Petition for Public Improvements:

- a) Construct a sanitary sewer to serve part of Killenwood Pointe Addition-south of 13th Street, east of Greenwich. (District II)

RECOMMENDED ACTION: Approve Petition; adopt Resolution.

29. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

30. Change Orders:

- a) Street paving in Tara Falls Addition-south of Harry, east of Greenwich. (District II)
- b) Hillside improvement, between 17<sup>th</sup> Street and 21<sup>st</sup> Street. (District I)
- c) Street paving in the Waterfront Addition-north of 13<sup>th</sup> Street, east of Webb. (District II)

RECOMMENDED ACTION: Approve the Change Orders.

31. Agreements/Contracts:

- a) Update population and employment forecasts-consultant selection.
- b) Contract for Services for Historic Preservation Fund Grant 20-03-18216-013 Economic Benefit Analysis.
- c) FY 2004 Grant with the Kansas Corporation Commission.

RECOMMENDED ACTION: Approve Agreements/Contracts;  
authorize necessary signatures.

32. Notification of Contracts:

RECOMMENDED ACTION: Receive and file.

33. Design Services Agreements:

- a) Willowbend North Estates Second Addition, west of Rock, south of 45<sup>th</sup> Street North. (District II)
- b) Shoal Creek Second Addition, west of 143<sup>rd</sup> Street East, south of Central. (District II)
- c) Flat Creek Addition, east of 119<sup>th</sup> Street West, north of Pawnee. (District V)
- d) Crystal Creek Addition, north of Harry, west of Greenwich. (District II)
- e) West Learjet Way improvements, east of Tyler. (Districts IV and V)
- f) Supplemental Agreement for construction engineering services for Maple from 119<sup>th</sup> Street to 135<sup>th</sup> Street West-Landscaping. (District V)
- g) Supplemental Agreement for 21<sup>st</sup> Street North bridge over West Branch Chisholm Creek. (District VI)
- h) Supplemental Agreement for construction engineering and staking for Tyler's Landing Addition, south of 37<sup>th</sup> Street North, east of Tyler. (District V)
- i) Supplemental Agreement for construction engineering and staking for Southern Ridge Addition, south of Pawnee, west of Maize. (District IV)
- j) Supplemental Agreement for construction engineering and staking for The Fairmont Addition, north of First Street, west of 127<sup>th</sup> Street East. (District II)

- k) Tara Falls Addition-south of Harry, east of Greenwich. (District II)
- l) Kingston Cove Second Addition-27<sup>th</sup> Street South, west of McLean Boulevard. (District IV)
- m) The Waterfront Addition-north of 13<sup>th</sup> Street, east of Webb. (District II)

RECOMMENDED ACTION: Approve Agreements/Contracts;  
authorize necessary signatures.

34. Acquisition of a Portion of 1300 Azure Lane; 13<sup>th</sup> Street/Cowskin Creek Bridge Project. (District V)

RECOMMENDED ACTION: Approve the acquisition.

35. Acquisition by Eminent Domain of tracts required for the 1<sup>st</sup> and 2<sup>nd</sup> Street Drainage Outfall Project.  
(Districts IV and VI)

RECOMMENDED ACTION: Adopt the resolution, approve and place  
on first reading the ordinance providing  
for the acquisition by eminent domain of  
certain real property.

36. Repair or Removal of Dangerous and Unsafe Structures.

	<u>Address</u>	<u>District</u>
a.	4237 East Menlo	III
b.	2626 North Estelle	I

RECOMMENDED ACTION: Adopt Resolutions setting the  
Public Hearing on December 16, 2003,  
9:30 a.m., or soon thereafter.

37. City of Wichita, Kansas Taxable Industrial Revenue Bonds, Series IX, 2003-Rand Graphics, Inc.; Selection of Bond Counsel. (District IV)

RECOMMENDED ACTION: Approve selection of Gilmore & Bell, PC  
to serve as Bond Counsel in the transaction  
and authorize the Mayor to sign the  
engagement letter.

38. Redemption Notice for Industrial Revenue Bonds-Chance Industries. (District IV)

RECOMMENDED ACTION: Approve the issuance of  
conditional redemption notice.

39. Authorization to submit proposal for Workforce Investment Act Funds.

RECOMMENDED ACTION: Authorize submittal of proposal for operation of the Workforce Investment Act Adult and Dislocated Worker Programs.

40. Public Exigency Project, Sanitary Sewer repairs. (District III)

RECOMMENDED ACTION: Approve Public Exigency Expenditure.

41. Playground Amenities and Equipment Rehabilitation. (District I)

RECOMMENDED ACTION: Approve the vendor and expenditure.

42. Blind and Physically Handicapped-Talking Books.

RECOMMENDED ACTION: Approve the contract and budget.

43. Interlibrary Loan Development Program Budget.

RECOMMENDED ACTION: Accept the grant award.

44. Request to use City property for office (Film Festival)

RECOMMENDED ACTION: Allow use of temporary office space.

45. Approval of Certificate of Convenience and Necessity for Lacy Albert d/b/a/ K&L Limousine Service.

RECOMMENDED ACTION: Approve a Certificate of Convenience and Necessity for K&L Limousine, Chartered Limousine Service.

46. Payment of Claim. (District V)

RECOMMENDED ACTION: Authorize payment to Michael and Jane Salerno in the amount of \$14,054.91.

47. Amending Resolution: K-96 Bike Path, from Oliver to the East City Limits. (Districts I and II)

RECOMMENDED ACTION: Adopt the amending Resolution.

48. Second Reading Ordinances: (First read October 21, 2003)

- a) Improvement of Pawnee, Washington to Hydraulic and the intersection of Pawnee and Washington. (District III)

1. An Ordinance declaring Pawnee, Washington to Hydraulic (472-83858) to be a main trafficway within the city of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

2. An Ordinance declaring the intersection of Pawnee and Washington (472-83859) to be a main trafficway within the city of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same..

- b) Public Hearing and Issuance of Industrial Revenue Bonds-Vermillion, Inc. (District IV)

An Ordinance of the City of Wichita, authorizing the issuance of \$2,525,000 aggregate principal amount of Industrial Revenue Refunding and Improvement Bonds, Series VI, 2003 (Vermillion Incorporated) for the purpose of providing funds to (1) refund on a current basis certain Industrial Revenue Bonds, Series III, 1998 (Vermillion Incorporated) of the City and (2) acquire and install certain new equipment to existing facility; prescribing the form and authorizing execution of a Trust Indenture by and between the City and the Southwest National Bank of Wichita, Wichita, Kansas, as Trustee; prescribing the form and authorizing the execution of a Lease of the project by and between the City and Vermillion Incorporated; approving the form of a Guaranty Agreement by and between Vermillion Incorporated as Guarantor, and the Southwest National Bank of Wichita, Wichita, Kansas as Trustee; authorizing the execution of a Bond Purchase Agreement between the City, Vermillion Incorporated and Cooper Malone McClain, Inc., Wichita, Kansas, as purchaser of the Series VI, 2003 Bonds.

- c) Reduction of Northeast Redevelopment District-Tax Increment Financing. (District I)

An Ordinance of the City of Wichita removing property from the Northeast Redevelopment District.

- d) Hillside Improvement - Kellogg to Central. (Districts I & II)

An Ordinance declaring Hillside, from Kellogg to Central (472-83862) to be a main trafficway within the city of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

- e) 29th Street North Improvement, from Maize to Tyler. (District V)

An Ordinance declaring 29th Street North, from Maize to Tyler (472-83863) to be a main trafficway within the city of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

- d) ZON2004-54 - west of Tyler Road and on the South Side of MacArthur Road. (District IV)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON 2002-54

RECOMMENDED ACTION: Adopt Ordinances.

49. Building Condemnations - First Reading Ordinance:

- a) An Ordinance making a special assessment to pay for the removal of certain structures, being dangerous and unsafe buildings which have been declared a nuisance (Building Condemnation) under the provision of Sections 18.16.010 to 18.16.090 of the Code of the City of Wichita, Kansas.

RECOMMENDED ACTION: Approve first reading of Ordinances

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PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- Consent Items

50. ZON2002-00003-Request for zone change from Single-Family Residential to Limited Commercial, and CUP2002-00002-The creation of The Dorothy Community Unit Plan. Generally located north of I-235, east of West Street, and south of Calvert Street. (District IV)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and approve the zone change subject to platting within one year, and approve the creation of the C.U.P., subject to the recommended conditions; instruct The Planning Department to forward the ordinance establishing the zone change for first reading when the plat is forwarded to the City Council.

OR

- 2) Approve with modifications of the Planning Commission's recommendation.

51. \*ZON2001-00053-Extension of Time to Complete the Platting Requirement for a Zone Change from Single-Family Residential to Limited Industrial with a Restrictive Covenant to Limit Uses and Modify Development Standards. Generally Located South of 45<sup>th</sup> Street North and West of Webb Road-4211 North Webb Road. (District II)

RECOMMENDED ACTION: Approve one-year extension of time to complete platting.

52. \*ZON2003-46-Zone Change from Single-Family Residential to Two-Family Residential and Limited Commercial, Generally Located Northeast Corner of Tyler and 37<sup>th</sup> Street North. (District V)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and approve the zone change, subject to the condition of platting within one year and subject to Protective-Overlay #129; instruct the Planning Department to forward the ordinance establishing the zone change for first reading when the plat is forwarded to the City Council;

OR

- 2) Return the application to the MAPC for reconsideration.

53. \*ZON2003-47-Zone Change From Two-Family Residential to Limited Commercial, Generally Located at the Southeast Corner of 21<sup>st</sup> Street North and Arkansas; and CON2003-37-Conditional Use for a Car Wash to be Located Within 200 Feet of Residential Property, Generally Located at the Southeast Corner of 21<sup>st</sup> Street North and Arkansas. (District VI)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and approve the zoning change and the Conditional use to permit a car wash, subject to platting within one year and subject to the recommended conditions; instruct the Planning Department to forward the Ordinance for first reading when the plat is forwarded to the City Council;

OR

- 2) Return the application to the MAPC for reconsideration.

54. \*VAC2003-49-Request to Vacate Platted Right-of-Way of West Street and North Street, Generally Located Northeast of Greenwich and 53<sup>rd</sup> Street North Intersection.

RECOMMENDED ACTION: Approve the Vacation Order.

55. CUP2003-45-Associated with ZON2003-43-Amendment #3 to DP194-Home Design Center C.U.P. and Zone Change from General Office to Limited Commercial. Generally Located at the Northeast Corner of 29<sup>th</sup> Street North and Penstemon. (District II)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and approve the zone change and CUP amendment request, subject to recommended conditions; approve first reading of the Ordinance establishing the zone change and amendment;

OR

- 2) Return the application to the MAPC for reconsideration.



56. \*SUB 2003-06-Plat of Sealpak Second Addition, Located on the West Side of Hoover, North of 21<sup>st</sup> Street North.  
(District V)

RECOMMENDED ACTION: Approve the plat.

57. \*SUB 2003-15-Plat of McNeil Addition, Located North of 53<sup>rd</sup> Street North, on the East Side of Greenwich Road.

RECOMMENDED ACTION: Approve the plat.

58. \*SUB 2003-16-Plat of Evergreen Fourth Addition, Located on the South Side of 29<sup>th</sup> Street North, West of Maize Road. (District V)

RECOMMENDED ACTION: Approve the plat.

59. \*SUB 2003-72-Plat of Tyler's Landing Second Addition, Located South of 37<sup>th</sup> Street North, East of Tyler Road.  
(District V)

RECOMMENDED ACTION: Approve the plat.

60. \*SUB 2003-83-Plat of Wilson Estates Medical Park Second Addition, Located West of Webb Road, South of 1<sup>st</sup> Street North. (District II)

RECOMMENDED ACTION: Approve the plat.

61. \*SUB 2003-127-Plat of Holzman Addition, Located on the East Side of Greenwich Road, South of Pawnee.

RECOMMENDED ACTION: Approve the plat.

62. \*DED 2003-21-Dedication of Access Control for Property Located on the Southeast Corner of Central and Baehr.  
(District IV)

RECOMMENDED ACTION: Accept the Dedication.

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### AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

63. United States Department of Justice, Drug Enforcement Administration-State and Local Task Force Agreement-Addenda Nos. 2 and 3.

RECOMMENDED ACTION: Approve the Addenda.

64. Security Project-Safety Building Addition & CCTV Upgrade Supplemental Agreement 1 Wichita Mid-Continent.

RECOMMENDED ACTION: Approve the Supplemental Agreement.

65. Public Hearing and Issuance of Airport Special Facilities Revenue Bonds-FlightSafety International. (District V)

RECOMMENDED ACTION: Close the Public Hearing and adopt the Resolution.

66. Acquisition of 4444 North Webb Road for Runway Approach Protection at Colonel James Jabara Airport. (District II)

RECOMMENDED ACTION: Approve the acquisition.

67. Airport Marketing Contractual Agreement.

RECOMMENDED ACTION: Approve the selection committee's Recommendation and to retain the Services of Sullivan Higdon sink.

Adjournment

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- (1) Workshop following City Council Meeting, Re: CIP
- (2) Joint meeting with County Commissioner and School Board, at 2:30 p.m. (Board Room)